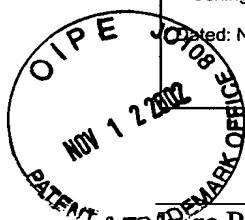


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Dated: November 12, 2002

Signature: *Linda A. Bourg*
(Linda A. Bourg)

#8B
Yuta
Nov 19, 02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jeffrey Errington

Application No.: 09/831,546

Attorney Docket No.: P02186US0

Filed: May 10, 2001

Group Art Unit: 1636

For: BACILLUS STRAIN AND ASSAY METHOD

Examiner: D. Sullivan

AMENDMENT

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Box Fee Amendment
Commissioner for Patents
Washington, DC 20231

NOV 19 2002

TECH CENTER 1600/2900

Dear Sir:

In response to the Office Action dated July 9, 2002 (Paper No. 6), please amend the above-identified U.S. patent application as follows:

In the Claims

Please delete claims 1-19. Please add claims 20-52.

C 20. A *Bacillus* strain capable of growth and sporulation comprising:

BO

- a) a homologous *spoIIIE* gene from another bacterium partly or wholly replacing an endogenous *spoIIIE* gene; and
- b) two reporter genes, wherein each reporter gene is operatively linked to a promoter and responsive to the action of σ^F during sporulation; and wherein the first reporter gene is located in a segment of the DNA that is



11-13-02

1636

AMENDMENT TRANSMITTAL LETTER

Docket No.
HO-P02186US0

Application No.
09/831,546

Filing Date
May 10, 2001

Examiner
Not Yet Assigned

Art Unit
N/A

Applicant(s): Jeffrey Errington

Invention: BACILLUS STRAIN AND ASSAY METHOD

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	33	- 25 =	8	x 9.00	72.00
Independent Claims	3	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (Extension of Time):					55.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					127.00

Large Entity

Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ 72.00 to cover the filing fee is enclosed.

A check in the amount of \$55.00 to cover the one month extension of time is enclosed..

The Commissioner is hereby authorized to charge and credit Deposit Account No. 06-2375
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Thomas D. Paul

Thomas D. Paul
Attorney Reg. No.: 32,714

Dated: November 12, 2002

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FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5325

NOV 19 2002

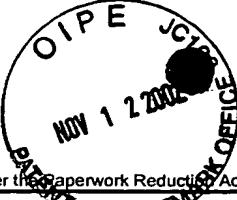
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Amendment Transmittal

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Dated: November 12, 2002

Signature: *Linda A. Bourg* (Linda A. Bourg)



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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 127.00)

Complete if Known	
Application Number	09/831,546
Filing Date	May 10, 2001
First Named Inventor	Jeffrey Errington
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	HO-P02186US0

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None

 Deposit Account

Deposit Account Number 06-2375

Deposit Account Name Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) necessary in this filing
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION
1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)		(\$)		0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	33	-25** =	8 x 9.00 =	72.00
Independent Claims	3	-3** =	x =	0.00
Multiple Dependent				

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	84	2201 42 Independent claims in excess of 3
1203	280	2203 140 Multiple dependent claim, if not paid
1204	84	2204 42 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)

** or number previously paid, if greater; For Reissues, see above

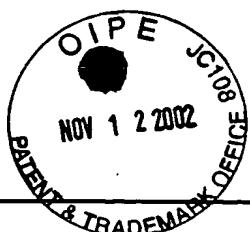
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee Description	
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	55.00
1252	400	2252 200 Extension for reply within second month	
1253	920	2253 460 Extension for reply within third month	
1254	1,440	2254 720 Extension for reply within fourth month	
1255	1,960	2255 980 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,280	2453 640 Petition to revive - unintentional	
1501	1,280	2501 640 Utility issue fee (or reissue)	
1502	460	2502 230 Design issue fee	
1503	620	2503 310 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	740	2809 370 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810 370 For each additional invention to be examined (37 CFR 1.129(b))	
1801	740	2801 370 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid.		SUBTOTAL (3)	
		(\$)	
		55.00	

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Thomas D. Paul	Registration No. (Attorney/Agent)	32,714	Telephone (713) 651-5325
Signature	<i>Thomas D. Paul</i>			Date November 12, 2002

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Fee Transmittal

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